IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.9255 OF 2004

1. Hemantkumar Chhaganlal & Anr. .. Petitioners

Vs

Rameshkumar Bhabutmal, .. Respondent

with

WRIT PETITION NO.9255 OF 2004

1. Achalchand Tekchand .. Petitioner

Vs

Narandrakumar Nathamal Jain

and ors. .. Respondents

Mr R.D.Dave i/b M/s N.N.Vaishnawa & Co for the petitioners.

Mr V Mannadial i/b M/s Mannadial & Co for the respondents.

CORAM : D.B.BHOSALE,J.

DATE : 14th December, 2004.

PC:

1. Heard the learned counsel for the parties.

2. The petitioner has impugned the order dated 31.7.2004 passed by the City Civil Court directing the defendants to file office translation of the books of

accounts maintained by the partnership firm within one month from the date of the order and furnish a copy thereof to the petitioners-plaintiffs within the time stipulated therein. By that order, the Commissioner is directed to complete the commission work within six months from the date of the order. Mr Dave, learned counsel for the petitioners, submits that the City Civil Court ought to have directed the defendants to file official translation since the office translation is likely to cause prejudice to the petitioners. I am unable to accept this submission. Mr Dave, could not and did not specify as to how and in what manner office translation would cause prejudice to the petitioners. It is always open for the petitioners to invite court's attention and/or object to the office translation furnished by the respondents if it is not properly done. To my mind, the City Civil Court has rightly allowed the notice of motion filed by the respondents for the reasons recorded in the impugned order. I find no reason to interfere with the order passed by the court below which, in my opinion, is just and proper. The writ petitions, therefore, fail and are dismissed as such.

(D.B.BHOSALE, J.)